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Counsel to Falcon Private Bank

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Liquidation of Bernard L. Madoff Investment
Securities LLC,

Plaintiff,

v.

FALCON PRIVATE BANK LTD. (f/k/a AIG
Privat Bank AG),

Defendant.

Adv. Pro. No. 11-02923 (CGM)

**DECLARATION OF RAHMAN CONNELLY IN SUPPORT OF FALCON PRIVATE
BANK'S MOTION TO DISMISS THE COMPLAINT**

I, Rahman Connelly, being duly sworn declare the following:

1. I am attorney admitted to practice law in the State of New York and a counsel at the law firm Pillsbury Winthrop Shaw Pittman LLP, counsel to Falcon Private Bank Ltd. (“Falcon”) in the above-captioned adversary proceeding.

2. I submit this declaration in support of Falcon’s motion, filed contemporaneously herewith, which seeks to dismiss the Complaint [Docket No. 1] (the “Complaint”) filed by plaintiff Irving H. Picard, Trustee (the “Trustee”) in the above-captioned adversary proceeding.

3. Attached as Exhibit 1 is a true and correct copy of the Complaint in this action.

4. Attached as Exhibit 2 is a true and correct copy of the Fairfield Amended Complaint, *Picard v. Fairfield Sentry Ltd.*, Adv. Pro. No. 09-1239 (Bankr. S.D.N.Y. July 20, 2010) [Docket No. 23] filed by the Trustee.

5. Attached as Exhibit 3 is a true and correct copy of the Fairfield Second Amended Complaint, Adv. Pro. No. 09-1239 (Bankr. S.D.N.Y. Aug. 28, 2020) [Docket No. 286] filed by the Trustee.

6. Attached as Exhibit 4 is a true and correct copy of the Memorandum of Association and Articles of Association of Fairfield Sentry Limited, as filed with the Court in *In re Fairfield Sentry Limited, et al.*, No. 10-13164 (SMB) (Bankr. S.D.N.Y.).

7. Attached as Exhibit 5 are true and correct copies of Exhibits 5 and 6 to the Fairfield Second Amended Complaint, Adv. Pro. No. 09-1239 (Bankr. S.D.N.Y. Aug. 28, 2020) [Docket Nos. 286-5, 286-6].

8. Attached as Exhibits 6(a)-6(III) are true and correct copies of excerpts from complaints, or exhibits to complaints, filed by the Trustee in the adversary proceedings listed on

the cover sheet to the Exhibit, which includes a summary of the information contained in the excerpts.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: August 15, 2022
New York, New York

/s/ Rahman Connelly
Rahman Connelly